

## U.S. Department of Justice



United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

BY FAX

Honorable Colleen McMahon  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 1350  
New York, New York 10007-1312

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Re: Jessica Weiss v. United States of America  
12 Civ. 2944 (CM) (JCF)

Dear Judge McMahon:

*MEMO ENDORSED*

This Office represents defendant in this case. I write respectfully to request an extension nunc pro tunc of the civil case management plan in this case.

Pursuant to the Court's Civil Case Management Plan of June 1, 2012, defendant's expert report was due by October 15, 2012, discovery closes on Monday, October 22, 2012, and a joint pre-trial order shall be submitted on or before December 6, 2012. Plaintiff and defendant have conducted depositions, medical records have been requested and received, and defendant has consulted with a medical expert. However, due to a trial scheduled to begin on Monday, October 22, 2012, in one of my other cases, as well as scheduling conflicts, the medical expert examination has not yet taken place. Accordingly, I respectfully request a thirty-day extension of the remaining dates in the Civil Case Management Plan. For the Court's convenience, I have enclosed a proposed Revised Schedule. This is the Government's first request for an extension of the discovery cut-off date; two previous requests for an extension of internal dates in the Court's schedule were granted. Plaintiff's counsel has kindly consented to this request.

I apologize to the Court for the belated nature of this request. Thank you for your consideration of this matter.

Respectfully,

PREET BHARARA  
United States Attorney

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10/22/2012  
OK

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
JESSICA WEISS,

Plaintiff,

- v. -

REVISED  
SCHEDULING ORDER

12 Civ. 2944 (CM)(JCF)

UNITED STATES OF AMERICA,

Defendant.

-----x  
IT IS HEREBY ORDERED that:

1. All discovery, including expert discovery must be completed on or before November 21, 2012; with Defendant's expert report by November 14, 2012; and
  
2. A joint pre-trial order in the form prescribed in Judge McMahon's individual rules, together with all other pre-trial submissions required by those rules (not including *in limine* motions), shall be submitted on or before January 4, 2013.

SO ORDERED:

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United States District Judge